

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

GULET MOHAMED,)	
)	
Plaintiff,)	
)	
v.)	No. 1:11-cv-50 (AJT/TRJ)
)	
ERIC H. HOLDER, JR., <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

ORDER

This matter is before the Court on a motion to dismiss [Doc. No. 22] (the "Motion") filed by defendants Eric H. Holder, Jr., Attorney General of the United States, Robert S. Mueller, III, Director of the Federal Bureau of Investigation, and Timothy J. Healy, Director of the Terrorist Screening Center (collectively, the "Official Capacity Defendants"). Upon consideration of the Motion, the memoranda and exhibits in support thereof and in opposition thereto, and the arguments of counsel at a hearing on July 29, 2011, and for the reasons stated in the accompanying Memorandum Opinion, it is hereby

ORDERED that the Motion be, and the same hereby is, GRANTED in part and DENIED in part. Plaintiff's claims against the Official Capacity Defendants based solely on plaintiff's alleged inclusion in the Terrorist Screening Database and the "No-Fly List" are hereby DISMISSED. Those remaining portions of Counts I, II and V asserted against the Official Capacity Defendants and defendant "Unknown TSC Agents" are hereby TRANSFERRED to the United States Court of Appeals for the Fourth Circuit. The Motion is otherwise DENIED.

The Clerk is directed to forward copies of this Order to all counsel of record.



Anthony J. Trenga
United States District Judge

Alexandria, Virginia
August 26, 2011